

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DANA CHERYL RIVERS,

Plaintiff,

vs.

JO ANNE B. BARNHART, Commissioner
of Social Security,

Defendant.

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CIVIL ACTION NO. 04-0369-P-L

JUDGMENT

In accordance with the court's Order entered this date, it is hereby ORDERED, ADJUDGED, and DECREED that this action is REVERSED and REMANDED to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings not inconsistent with this opinion. Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Remand pursuant to sentence four of § 405(g) makes plaintiff a prevailing party for purposes of the Equal Access to Justice Act, 28 U.S.C. § 2412, Shalala v. Schaefer, 509 U.S. 292 (1993), and terminates this court's jurisdiction over this matter.

DONE this 31st day of May, 2005.

S/Virgil Pittman
SENIOR UNITED STATES DISTRICT JUDGE